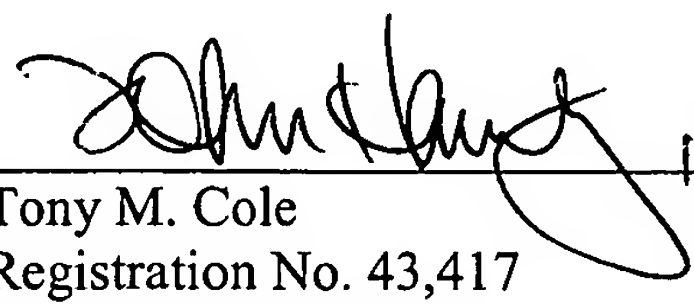


REMARKS

The Office Action has required restriction, under 35 U.S.C. §121, to either claims 1-14 (Group I), allegedly drawn to a method of fabricating a fin for a fin field effect transistor classified in class 438, subclass 256, or claims 15-19 (Group II), allegedly drawn to a fin field effect transistor classified in class 257, subclass 300. The Office Action asserts that these inventions are related as method and device. In view of the restriction requirement, Applicants elect, without traverse, claims 1-14 of Group I, drawn to a method of forming a fin for a fin field effect transistor (FinFET).

In view of the foregoing remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the elected claims. To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

By:  Reg No. 43,367
for Tony M. Cole
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Date: May 5, 2004

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